

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

GAS ‘N SHOP, INC.,	)	4:07CV3018
Plaintiff and Counter-Defendant,	)	
v.	)	
	)	
CONOCOPHILLIPS COMPANY,	)	<b>MEMORANDUM</b>
Defendant, Counter-Plaintiff,	)	<b>AND ORDER</b>
and Third-Party Plaintiff,	)	
v.	)	
	)	
LARRY W. COFFEY,	)	
Counter-Defendant,	)	
and	)	
	)	
CASEY’S GENERAL STORES, INC., and	)	
CASEY’S RETAIL COMPANY,	)	
Third-Party Defendants.	)	

On October 15, 2007, a mediation closure notice was filed in this case, stating that agreement had been reached on all issues. (Filing 35.) In response to that filing, the court entered a settlement order on October 16, 2007, removing the case from the trial docket and giving the parties 30 days to file a joint stipulation for dismissal. The order advised the parties that the case (including all counterclaims and the like) would be subject to dismissal without further notice if they failed to file such a stipulation. (Filing 34.) On November 16, 2007, the third-party defendants, Casey's General Stores, Inc., and Casey's Retail Company, filed a motion requesting a two-week extension and stating that the additional time was needed to finalize a settlement agreement. (Filing 36.) The court granted the motion and extended the deadline to November 30, 2007; the parties were again advised that the case would be subject to dismissal without further notice for noncompliance with the order. (Filing 37.) Since then, there have been no further filings of any kind. Accordingly,

IT IS ORDERED that:

1. This action, including all claims, counterclaims, cross-claims, and third-party claims, is dismissed without prejudice for noncompliance with the court's orders (filings 34, 37).
2. Judgment shall be entered by separate document.

January 10, 2008.

BY THE COURT:

*s/ Richard G. Kopf*  
United States District Judge